

REMARKS

Applicant has carefully reviewed this Application in light of the Office Action mailed November 7, 2006. At the time of the Office Action, Claims 1-11, 13-22, 24, 25 and 27-31 were pending in the Application. Applicant respectfully requests reconsideration of the pending claims and favorable action in this case.

Section 103 Rejections

The Examiner rejects Claims 1, 6-8, 11, 13, 16, 19-22, and 27-28 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,047,051 issued to Ginzboorg et al. (hereinafter "*Ginzboorg*") in view of U.S. Patent No. 6,389,537 issued to Davis et al. (hereinafter "*Davis*"). These rejections are respectfully traversed for the following reasons.

Independent Claim 1 has been amended to include the feature of "receiving, from the subscriber terminal, in the proxy a content request for providing the content". Support for this amendment to Independent Claim 1 can be found in at least paragraph [0035] to paragraph [0036] and FIG. 4 of the application as originally filed. Applicants respectfully submit that *Ginzboorg* fails to teach or suggest this feature of Independent Claim 1.

In the Response to Arguments on page 17 of the Office Action mailed November 7, 2006, it is asserted that the "billing server" of *Ginzboorg* is considered to be equivalent to the "proxy" of Independent Claim 1. In the system of *Ginzboorg* (as described, for example, in columns 5-6), a customer using customer terminal CT selects a service, and the customer terminal CT sends this selection directly to a server of a service provider. *Ginzboorg* further describes that the server of the service provider sends a service identifier and a subscriber identifier to a billing server WD in response to receiving the service selection.

Applicant respectfully submits that *Ginzboorg* contains no teaching or suggestion of a proxy receiving a content request from a subscriber terminal as found in Independent Claim 1 as amended. As discussed, *Ginzboorg* describes that the customer terminal CT sends a service selection to a service provider server. *Ginzboorg* fails to teach or suggest that the customer terminal CT sends a request to the billing server WD. The Applicant respectfully submits that *Davis* also fails to teach or suggest the feature of a proxy receiving a content request from a subscriber terminal. In view of the foregoing, the Applicants respectfully request reconsideration and withdrawal of the rejection of Independent Claim 1.

The Examiner rejects Claims 2-4 under 35 U.S.C. §103(a) as being unpatentable over *Ginzboorg* in view of *Davis* and U.S. Patent No. 5,905,736 issued to Ronen et al. (hereinafter "*Ronen*"). The Examiner rejects Claim 5 under 35 U.S.C. §103(a) as being unpatentable over *Ginzboorg* in view of *Davis* and U.S. Patent No. 5,956,391 issued to Melen et al. (hereinafter "*Melen*"). The Examiner rejects Claim 9 under 35 U.S.C. §103(a) as being unpatentable over *Ginzboorg* in view of *Davis* and U.S. Patent No. 5,907,477 issued to Roden et al. (hereinafter "*Roden*"). The Examiner rejects Claims 10 and 14-15 under 35 U.S.C. §103(a) as being unpatentable over *Ginzboorg* in view of *Davis* and U.S. Publication No. 2002/0059114 issued to Cockrill et al. (hereinafter "*Cockrill*"). The Examiner rejects Claim 17 under 35 U.S.C. §103(a) as being unpatentable over *Ginzboorg* in view of *Davis* and U.S. Patent No. 5,852,812 issued to Reeder (hereinafter "*Reeder*"). The Examiner rejects Claim 18 under 35 U.S.C. §103(a) as being unpatentable over *Ginzboorg* in view of *Davis* and U.S. Patent No. 5,778,189 issued to Kimura et al. (hereinafter "*Kimura*"). The Examiner rejects Claims 24 and 25 under 35 U.S.C. §103(a) as being unpatentable over *Ginzboorg* in view of *Davis* and U.S. Patent No. 5,319,454 issued to Schutte (hereinafter "*Schutte*").

The Examiner rejects Claims 2-11, 13-22, 24-25, and 27-28 under 35 U.S.C. §103(a), cited various references in support thereof. These claims, however, depend on Independent Claim 1 and are patentable for at least the same or analogous reasons for which that claim is patentable. The Applicant respectfully requests reconsideration and withdrawal of these rejections for the reasons set forth above.

The Examiner rejects Claims 29-31 under 35 U.S.C. §103(a) as being unpatentable over *Ginzboorg* in view of *Ronen*. Independent Claim 29 has been amended to include the features of "a router component in communication with a subscriber terminal through an access network, the router component operable to receive a request for content service from the subscriber terminal and to determine if the content service is chargeable, the content being provided by a content server". Support for this amendment to Independent Claim 29 can be found in at least paragraph [0035] to paragraph [0036] and FIG. 4 of the application as originally filed. For analogous reasons as those discussed with respect to Independent Claim 1, Applicant respectfully submits that *Ginzboorg* fails to teach or suggest these features of Independent Claim 29. The Applicant respectfully submits that *Ronen* also fails to teach or

suggest these features. The Applicant respectfully requests reconsideration and withdrawal of the rejection of Independent Claim 29.

Claims 30-31 depend on Independent Claim 29 and are patentable for at least the same or analogous reasons for which that claim is patentable. The Applicant respectfully requests reconsideration and withdrawal of these rejections for the reasons set forth above.

CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for all other reasons clear and apparent, Applicant respectfully requests reconsideration and allowance of the pending claims.

Please charge Deposit Account No. 02-0384 of BAKER BOTTS L.L.P. an amount of \$790.00 to satisfy the request for continued examination fee of 37 C.F.R. §1.17(e). Also, the Commissioner is hereby authorized to charge any additional fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts, L.L.P.

If there are matters that can be discussed by telephone to advance prosecution of this application, Applicant invites the Examiner to contact Thomas J. Frame at 214.953.6675.

Respectfully submitted,
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